

Exhibit A

TerriAnne Benedetto

From: TerriAnne Benedetto
Sent: Tuesday, April 18, 2017 4:21 PM
To: 'Scheff, Richard'; Breslauer, Peter; Herman, David F.
Cc: Chris Seeger; Buchanan, David (DBuchanan@seegerweiss.com); 'dburns@paulweiss.com'; 'lbayard@paulweiss.com'; 'sweiss@anapolweiss.com'; Chris Van De Kieft; Dion Kekatos; George, Scott (sgeorge@seegerweiss.com)
Subject: NFL - NFL Case Consulting LLC and Jim McCabe Motion for Injunction
Attachments: Home Page - NFL CASE – CONSULTING LLC.pdf; 2017-03-27 [7347-02.6] Ex F - Decl. of CAS ISO Co-Lead Class Counsel'spdf; How We Help – NFL CASE Consulting.pdf

Richard,

In follow-up to today's call, I wanted to set forth the items discussed which were not addressed in Co-Lead Class Counsel's motion for injunction filed on March 27. I have attached for comparison the Exhibit F that was attached to our motion (your client's home page at the time) and the current home page for NFL Case Consulting. The only tabs on the home page in Exhibit F were "Apply Now" and "Call Today." On the current home page, there are several tabs that have been added, namely, "How We Help," "About the NFL Settlement," and "Our Story." I wanted to note that we hadn't raised in the motion certain issues discussed on today's call (as reiterated below), because your client's website did not contain this language when the motion was filed.

On the call, we discussed certain statements and misrepresentations on your client's "How We Help" page, which is attached, as follows:

- 1) Under "Over 1 Billion Dollars in Claims Recovered for Clients," we see two problems.
 - a. The NFL Concussion Settlement Agreement "will be administered for the NFL and the Court by claims consultants." First, it is being administered for the Parties and the Court, -- the Parties include the NFL and the Class. As worded, the Class members were left out of the equation. Second, it is being administered by the Court-appointed Claims Administrator, Brown Greer, not "claims consultants." (I also note that your client's brochure (which was not previously available on the website) claims the your client has "experience dealing with the court-appointed administrators of the NFL." Brown Greer is not the NFL's administrator – it is the Settlement's administrator.)
 - b. The reference to your client "having spent the last 7 years dealing with the same claims process and adversaries on the largest Class Settlement in US History, the BP Oil Spill." Drawing some parallel between the "adversaries" in BP and those in this case is confusing. The only common thread would be Brown Greer and to couch the Claims Administrator as an "adversary" is misleading.
- 2) Under "Turnkey Claims Assistance," the threat of denials if there are claim process deficiencies makes the claims administration process sound rigid and like a "get it right the first time or you're out"-type of process. That is definitely not the case.
- 3) Under "Referrals to Qualified Doctors to Independent Medical Evaluations," the reference in the title to an "independent" medical evaluation implies that (1) the Qualified BAP Providers and Qualified MAF Physicians are biased and (2) a Class Member, at this juncture, in the post-Effective Date time period, could get a Qualifying Diagnosis outside of the Settlement Program. Both of these representations are inaccurate. Saying that "[m]ost physicians are ***NOT*** qualified to test or diagnose under these guidelines; and physicians should be chosen with care. **Choosing the wrong physician may delay or jeopardize a legitimate claim.** ... Help me Find a Qualified Doctor." again misrepresents that a Qualifying Diagnosis could be obtained outside of the Settlement Program at this point. It cannot.

- 4) Under "Let Us Handle the Complex Reporting Requirements," the statement that "the failure to meet requirements of the claims administrators will lead to denials," like the "Turnkey" section, implies rigidity in the claims process that is not present.
- 5) Under "Let Us Determine an Independent Valuation for Your Claim," the statement "[i]f you were in a motor vehicle accident, and needed compensation, would you let the person who injured you determine the value of your loss? Thus, you may want to reconsider letting the NFL Concussion Settlement Authority determine the value of your claim without independent claims experts on Your side." implies that the NFL is determining the amounts of monetary awards. They are not. It also again calls into question the integrity of the Qualified BAP Providers and Qualified MAF Physicians and the Claims Administrator, as does the statement later in that section encouraging Class Members to obtain "mini-cognitive testing": "Without a benchmark, a claimant will have no basis upon which to assess if the diagnosis and valuation by the claims administrators is correct."

To the extent that your client continues to add to its website content, we may have further comments and objections.

Additionally, as noted on the call, we now know, based upon discussions in my prior call with you, that your client has recorded all telephone calls to Class Members. We want to insure that none of the above statements, nor those which were discussed in our motion, were communicated to those 6 Class Members registered by your client (and possibly played a part in the decision to retain your client), and any other Class Members who may since have retained your client. Any Declaration by your client should include the representation, based upon review of those recordings, that those statements were not made to Class Members who retained your client. Please note that this email is not intended to repeat the issues discussed in our motion. It is only intended to address those points unknown and unknowable at the time our motion was filed.

I look forward to our call on Thursday. I hope that the above will help to streamline matters, so that we are able to succinctly present any outstanding issues to Judge Brody in the submission due on Friday.

Thank you,
Terri

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Our NFL Settlement Claim Assistance Experts are waiting for your call

A Settlement of a class action lawsuit was reached with the NFL and NFL Properties and retired NFL players, their representatives and family members. The retired NFL players sued, accusing the NFL of not warning players and hiding the damages of brain injury.



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A dynamic action shot from a football game at night. A player in a red jersey and helmet is running with the ball, while a player in a blue jersey and helmet is tackling him from the side. The scene is illuminated by bright stadium lights, creating a high-contrast, energetic atmosphere.

**Our team is here to ensure that
all eligible players receive full
valuations**

**Why Hire NFL Case Consulting as Your NFL Concussion Claim
Experts**

Over 1 Billion Dollars in Claims Recovered for Clients



Claimants should be apprised that the NFL Concussion Settlement is largely an administrative process now. There are, of course, legal requirements and reasons for representation by an attorney, such as submission of Registration and the real possibility of appeals in the future. But largely, the entire process, subject to compliance with requirements established in the NFL Concussion Settlement Agreement, will be administered for the NFL and Court by claims consultants. Consequently, it is reasonable for claimants to consider employment of claims experts on their behalves who understand this process. The NFL concussion claims experts at NFL Case Consulting have the expertise, based on over 75 years of collective claims experience, particularly having spent the last 7 years dealing with the same claims process and adversaries on the largest Class Settlement in US history, the BP Oil Spill. [Free Consultation with the Experts](http://nflcaseconsulting.com/how-we-help/)



Turnkey Claims Assistance

At first glance, retired NFL players who are claimants **may believe the NFL Concussion Settlement Agreement is relatively simple** and therefore the only requirements are submission of testing medical reports and other documents. Unfortunately, that approach may have a NFL claim delayed, denied, or drastically underpaid.

A claimant should bear in mind that failure of testing or the correct diagnosis may not only preclude their claim but may cause a reduced valuation. And failure to properly document eligible seasons may further reduce valuations. Deficiencies in any documentation will result in denial if deficiencies are not responded to correctly and timely. [Make Your Claim](#)
[Process Turnkey](#)

Referrals to Qualified Doctors for Independent Medical Evaluations



Only a qualified specialist may make a Qualifying Diagnosis as outlined in the NFL Concussion Settlement Agreement. Depending on the date of the diagnosis, a medical provider must meet certain requirements to be considered a qualified specialist. Most physicians are **NOT** qualified to test or diagnose under these guidelines; and physicians should be chosen with care. **Choosing the wrong physician may delay or jeopardize a legitimate claim.** NFL Case Consulting is committed to simplifying the entire claims process. [Help me Find a Qualified Doctor](#)



Things May Get Much More Complicated Quickly – Appeals and Other Unknown Factors Could Affect You If Not Handled Properly

Claimants should anticipate that this agreement, like all other class settlements, will be challenged by interpretations. The BP Settlement

Agreement comprised 1,138 pages and has now been supplemented by over 600 policy interpretations with over 8,000 pages of definitions and instructions, some of which are very detrimental and problematic if not understood and considered. It is a very important part of the claims process that the claimant's claims processors be familiar with all policies and instructions that will inevitably be produced in the NFL Settlement. [Handle the Complexities for Me](#)

Do Not Disqualify Your Claim with Improper Documentation



Claimants should expect numerous inquiries by NFL Concussion Settlement claims administrators regarding documentation even though the claimant or attorney may have felt they submitted documents to satisfy requirements. Correct form matters and the Notices that will be issued during reviews will require very specific responses. [Let Us Handle Your Documentation](#)



Let Us Handle the Complex Reporting Requirements

Claimants must be made aware that failure to meet requirements of the claims administrators will lead to denials of claims for administrative reasons that are difficult to overcome. This is a process that NFL Case Consulting's NFL Concussion Settlement experts fully understand. [Let Us Handle Your Complex Reporting Requirements](#)

Let Us Determine an Independent Valuation for Your Claim

If you were in a motor vehicle accident, and needed compensation, would you let the person who injured you determine the value of your loss? Thus, you may want to reconsider letting the NFL Concussion Settlement Authority determine the value for your claim without independent claims experts on Your side. [Let Us Determine an Independent Claim Value for You](#)



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NFL Settlement
Experts Today at
855-851-3963**

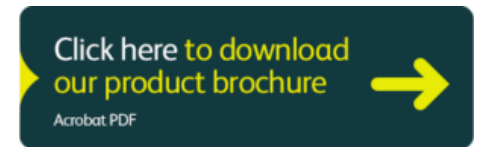
No Risk. No Upfront Fees. We can
help with any NFL Settlement

NFL Case Consulting has the NFL Concussion Settlement expertise and processes to assist claimants with the proper documentation and valuation of their claims, including administering mini-cognitive testing to determine if the claimant should submit to complete testing and valuation. Without a benchmark, a claimant will have no basis upon which to assess if the diagnosis and valuation by the claims administrators is correct. And, future monitoring of the claimant for possible submission and documentation of supplemental claims (development of a more serious diagnosis and award) is a vital component of the service provided by NFL Case Consulting.

It is often difficult for claimants to fully appreciate the value of services that are being offered by attorneys and claims professionals. We believe there is a simple axiom that should be considered; the claimant should engage the proper experts for the task to fully protect their interests.

[Free Consultation with the Experts](#)

injury case. We handle all notices and claim administration for you or your clients.



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Exhibit F



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Our NFL Settlement Claim Assistance



Experts are waiting for your call

A Settlement of a class action lawsuit was reached with the NFL and NFL Properties and retired NFL players, their representatives and family members. The retired NFL players sued, accusing the NFL of not warning players and hiding the damages of brain injury.

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